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Review Conference of States Parties to the Convention on Cluster Munitions

29 June 2015

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Item 4 of the provisional agenda
Adoption of the rules of procedure

Rules of procedure
Meetings of States Parties to the Convention on Cluster Munitions

(As adopted by the First Meeting of States Parties)

Submitted by the President-designate

Chapter I
Participation in the Meeting of States Parties

Rule 1

Participation in the Meeting of States Parties

1. States Parties present at the Meeting of States Parties will be participants. Other States may participate in the Meeting of States Parties as observers.

2. The United Nations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, the Geneva International Centre for Humanitarian Demining and the Cluster Munition Coalition may attend the Meeting of States Parties as observers.

3. Other relevant international organizations or institutions, regional organizations and relevant non-governmental organizations may attend the Meeting of States Parties as observers. Such organizations will submit a request in that regard to the President-designate who may issue an invitation on a provisional basis taking into consideration criteria such as whether the proposed observer is a non-profit entity and whether its purpose and activities are consistent with the object and purpose of the Convention. The participation of these organizations is subject to the final approval of the Meeting of States Parties.

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Rule 2

Designation of delegations

Each State or organization participating in the Meeting of States Parties shall designate a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Rule 3

Alternates and advisers

An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

Rule 4

Submission of delegation information

The names of representatives and of alternate representatives and advisers shall be submitted to the Secretary-General of the Meeting of States Parties not later than 24 hours after the opening of the Meeting. Any later change in the composition of delegations shall also be submitted to the Secretary-General.

Chapter II
Officers

Rule 5

Elections

The Meeting of States Parties shall elect a President and four Vice-Presidents. The Meeting of States Parties may also elect such other officers as it deems necessary for the performance of its functions.

Rule 6

General powers of the President

1. In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall preside at the plenary meetings of the Meeting of States Parties, declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President shall rule on points of order and, subject to these rules, have complete control of the proceedings and over the maintenance of order. The President may propose to the Meeting of States Parties the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his or her functions, remains under the authority of the Meeting of States Parties.

Rule 7

Acting President

1. If the President finds it necessary to be absent from a meeting or any part thereof, he or she shall designate a Vice-President to take his or her place.

2. A Vice-President acting as President shall have the powers and duties of the President.

Rule 8

Replacement of the President

If the President is unable to perform his or her functions, a new President shall be elected.

Rule 9

The President shall not vote

The President, or a Vice-President acting as President, shall not vote in the Meeting of States Parties, but shall designate another member of his delegation to vote in his or her place.

Chapter III
Secretariat of the Meeting of States Parties

Rule 10

Duties of the Secretary-General and of the Secretariat

1. There shall be a Secretary-General of the Meeting of States Parties. States Parties may request the Secretary-General of the United Nations to appoint an official to act in that capacity. The Secretary-General of the Meeting of States Parties shall act in that capacity in all meetings, including those of any committees, working groups or other subordinate bodies, if established, and may designate a member of the Secretariat to act in his or her place at these meetings.

2. The Secretary-General shall direct the staff required by the Meeting of States Parties and its subordinate bodies. The Secretariat shall make all arrangements relating to meetings and provide necessary conference services as required by the States Parties.

Chapter IV
Decision-making

Rule 11

Promotion of general agreement

The Meeting of States Parties shall make every effort to reach general agreement on matters of substance.

Rule 12

Voting rights

Each State Party participating at the Meeting of States Parties shall have one vote.

Rule 13

Quorum

The presence of representatives of a majority of the participating States Parties shall be required for any decision to be taken.

Rule 14

Majority required

1. Decisions of the Meeting of States Parties on all matters of substance shall be taken by a two-thirds majority of the representatives of States Parties present and voting.

2. Decisions of the Meeting of States Parties on matters of procedure shall be taken by a majority of the representatives of States Parties present and voting.

3. If the question arises whether a matter is one of procedure or of substance, the President of the Meeting of States Parties shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the representatives of States Parties present and voting.

Rule 15

Special procedures

Decisions concerning destruction of cluster munitions in accordance with article 3 of the Convention, clearance and destruction of cluster munition remnants in accordance with article 4 of the Convention and facilitation and clarification of compliance in accordance with article 8 of the Convention shall be made according to the provisions of those articles.

Rule 16

Meaning of the expression "representatives of States Parties present and voting"

For the purpose of these rules, the phrase "representatives of States Parties present and voting" means representatives of States Parties present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Rule 17

Method of voting

The Meeting of States Parties shall normally vote by show of hands or by standing, or by a roll-call, if requested. The roll-call shall be taken in the English alphabetical order of the names of the States participating in the Meeting of States Parties, beginning with the delegation whose name is drawn by lot by the President.

Rule 18

Conduct during voting

The President shall announce the commencement of voting, after which no representative shall be permitted to intervene until the result of the vote has been announced, except on a point of order in connection with the process of voting.

Rule 19

Explanation of vote

The President may permit representatives to explain their votes. The President may limit the time to be allowed for such explanations.

Rule 20

Elections

All elections shall be held by secret ballot unless, in the absence of any objection, the Meeting of States Parties decides to proceed without taking a vote on an agreed candidate.

Rule 21

1. If, when one person or one delegation is to be elected, no candidate obtains in the first ballot a majority of the representatives present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the preceding paragraph.

Rule 22

When two or more elective places are to be filled at one time under the same conditions, those candidates, not exceeding the number of such places, obtaining in the first ballot a majority of the representatives present and voting shall be elected. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled; provided that, after the third inconclusive ballot, votes may be cast for any eligible person or delegation. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter shall be unrestricted, and so on until all the places have been filled.

Rule 23

Equally divided votes

If a vote is equally divided on matters other than elections, the proposal, amendment or motion shall be regarded as rejected.

Rule 24

General rights of observers

Observers:

(a) May not participate in decision-making;

(b) May not make, or be among the speakers called on to speak in favour of or against, any procedural motion or request, raise points of order or appeal against a ruling of the President.

Chapter V
Conduct of business

Rule 25

Public meetings

The plenary meetings of the Meeting of States Parties shall be held in public unless the Meeting decides otherwise.

Rule 26

Speeches

No one may address the Meeting of States Parties without having previously obtained the permission of the President. Subject to rules 27, and 30 to 32, the President shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall be in charge of drawing up a list of such speakers. The President may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

Rule 27

Points of order

During the discussion of any matter, a representative may at any time raise a point of order, which shall be decided immediately by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be put to the vote immediately, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 28

Closing of list of speakers

During the course of a debate the President may announce the list of speakers and, with the consent of the Meeting of States Parties, declare the list closed.

Rule 29

Right of reply

The right of reply may be accorded by the President to any representative if a speech delivered after the list of speakers has been closed makes this desirable.

Rule 30

Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

Rule 31

Closure of debate

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

Rule 32

Suspension or adjournment of the meeting

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote.

Rule 33

Order of motions

Subject to rule 27, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Rule 34

Competence of the Meeting of States Parties

The Meeting of States Parties may consider and, where necessary, take decisions in respect of any matter with regard to the application or implementation of the Convention on Cluster Munitions in accordance with article 11 of the Convention.

Rule 35

Decisions on competence

Subject to rule 27, any motion calling for a decision on the competence of the Meeting of States Parties to discuss any matter or to adopt a proposal or an amendment submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Chapter VI
Subordinate bodies

Rule 36

Subordinate bodies

The Meeting of States Parties may establish committees, working groups or other subordinate bodies as appropriate.

Chapter VII
Languages and records

Rule 37

Languages of the Meeting of States Parties

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Meeting of States Parties.

Rule 38

Interpretation

1. Speeches made in a language of the Meeting of States Parties shall be interpreted into the other such languages in the plenary sessions.

2. A representative may speak in a language other than a ianguage of the Meeting of States Parties if the delegation concerned provides for interpretation into a language of the Meeting of States Parties.

Rule 39

Official documents

Official documents of the Meeting of States Parties, including its Final Document shall be made available in all the languages of the Meeting of States Parties.

Chapter VIII
Amendments to the rules of procedure

Rule 40

Method of amendment

These rules of procedure may be amended by a decision of the Meeting of States Parties taken by a two-thirds majority of the representatives present and voting.